1950. File No. 2233/48

P.W DEPARTMENT

B CLASS E BRANCH (II)

Subject:— Employees State Insurance [General] Regulation 1949 Draft Bill for the

(M)

B K) 1950

File No. 2233/48-E (II)

Std. Scott. Blip. 24 A

G.R., G. D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Subject :—

File No. 2233/48

P W. DEPT.

E BRANCH. (A)

References :—

Copies from main file B [M]

Date.	To whom sent.	Notes and instructions.

E.B.(II) P.W.D.

The Lab. & H. Deptt. has forwarded a draft of the Employee's State Insurance (General) Regulations 1949, which the Employees' Sate Insurance Corporation proposes to make in exercise of Section 97 of the Employees' State Insurance Act, 1948. The remarks of this Deptt. are required to be submitted to the Lab. & H. Deptt. not later than the 7-2-49 and as such it is not possible to call for the remarks of the local officers. These regulations have been scrutinized in this office and being of a general nature seem to be in order, except with regards to the clauses 13, 21 & 75 of the draft regulations.

2. (13) Declaration Forms to be sent to Regional Office. The first line of the clause appears to be a typogr phical error and it seems the Lab. & H. Deptt. will take necy. action thereon. The attention of the Lab. & H. Deptt. may however be drawn to this typographical error.

3. (21) Inspection of Contribution Cards by Inspector. It is stated in this clause " that the employer shall, if reqd., dåliver the Contribution Card to the Inspector or Official and who may, if he th nks fit, retain it. The empoyer shall prepare immediately another Contribution Card in respect of the person whose Card is taken away by the Inspector". This clause does not make it claar whether a fresh Card should be prepared. If a frosh Card is preparåd the previous entries on the Card will not be there and in case of loss of the Card by the Inspr. there will be no records to show how far the weekly premia have been paid, It appears safer if the concluding sentence of this clause were worded as follows:-

"The employer shall prepare immediately another Contribution Card in respect of the person whose card is taken away incorporating therein the entries in the original card and initialled by the Inspector to who the Card has been handed ovdr".

It is, therefore, for orders whether the Lab. & H, Deptt. may be requested to consider the modification of the concluding

sentence.....

sentence of this clause as indicated overleaf.

4. (75) Disposal of body of a n insured person dying by employment injury. This clause lays down that when a person dies of an emplyment injry the body of the insured person shall not be disposed off until the body has been examined by an Insurance Medical Officer who will also arrange a post-mortem examination, if considered necy., in co-operation with existing Provl. agency. The provisio, however, lays down that if an Insurance Medical Officer is unable to arrive for the examination within 24 hrs. of the time of report to him the body may be disposed off. The time that will lapse by the time a report is made to the Insurance Medical Officer is bound to be much, it seems reasonable to modify the words from "within 24 hrs" to "within 12 hrs." and to add thereafter "the Civil Surgeon of the Dist. may examine the body and arrange for a post mortem examination, if reqd., and issue a certificate to the Employees' State Insurance Corpor tion " It is for orders whether the Lab.& H. Deptt. may be requested to consider the Modific:tion of the provision accordingly.

I would add here" Or The S.M.S. Officer in charge of the area" The Civil Surgeon of the Dist". Because it will not be possible for the Civil Surgeon of Dist. to look to all such cases personally.

Id/-

5 On receipt of orders on the raised above and any other clauses on which the remarks of this Deptt. are considered necy, the draft to the Lab. & H. Deptt. will be put up.

Id/- 7/2/50

Modification suggested in the O.N. may be accepted, subject to the modification proposed by me in the margine.

Id/- 7/2/50
D.S.

a(13) no action

a(21) should be modified to provide that the employer prepares a fresh card before delivering the contribution care to an inspector of official.

a(75) add at end subject to the provisions of the criminal procisure code and other law for the time being in force. Obviously the L & H. Deptt step over this from 19/1 to 4/2 & has trustted others.

Id/- 8/2

Very Urgent. Letter. 2233/48/9185

No. 2233/48-E(II) P.W.D.,
B.C.(B'bay No.1) 9th Feby. 1950

To

The Secy. to the Govt. of B'bay,
Lab & Housing Deptt.

Sub:- Employees' State Insurance
(General) Regulations, 1949.

Refec:- Govt. Endt., Lab & H. Deptt., No. 627/46/3655-D
dated the 4-2-1950

2. This Deptt. has no remarks to offer on the draft of the Employees' State Insurance (General) Regulations, 1949, except on clauses (21) and (75) thereof which are as under:-

(21) Inspection of Contribution Cards by Inspector:- The consluding sentence of this clause may be modified so as to provide that the employer prepares a fresh card before delivering the Contribution card to an Inspn. of Official

(75) Disposal of body of an insured person dying by employment injury:- At the end of this clause the following proviso may be added viz., "subject to the provisions of the criminal Procedure Code and otherlaw for the time being in ~~fore~~ force"

D .A. Nil

By order of the G. of B.,

Id/-
8/2/50

Id/-
8/2/50

D.S.